

05/10/2013 11:04 FAX

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IN THE DISTRICT COURT OF CHEROKEE COUNTY
STATE OF OKLAHOMA

PAMELA S. CHRISTIE,
Plaintiff,

vs

STATE FARM MUTUAL
AUTOMOBILE INSURANCE COMPANY,
Defendant.

Case No.: CT 2013-99

2013 APR 19 PM 11:02

PETITION

COMES NOW the Plaintiff, Pamela S. Christie, and for her cause of action against the Defendant State Farm Mutual Automobile Insurance Company, alleges and states as follows:

1. On the 30th day of September, 2011, near the City of Tahlequah, County of Cherokee, State of Oklahoma, Christina M. Clinton, negligently caused her motor vehicle to collide with a vehicle driven by the Plaintiff, Pamela S. Christie.
2. As a result of Christina M. Clinton's negligence, Plaintiff suffered injuries, and damages in the form of medical expenses, mental pain and suffering associated with Plaintiff's physical injuries and future expected medical treatment.
3. At the time of the collision, Plaintiff, Pamela S. Christie, resided in Park Hill, Cherokee County, State of Oklahoma.
4. At the time of the collision, Plaintiff was covered under a policy of uninsured/underinsured motorist insurance issued by the Defendant State Farm Mutual Automobile Insurance Company.



5. Christina M. Clinton was an underinsured motorist; therefore, Plaintiff brought a claim against Defendant State Farm Mutual Automobile Insurance Company for the recovery of underinsured motorist benefits.

6. The Defendant, State Farm Mutual Automobile Insurance Company, is a mutual insurance company authorized to sell insurance in the State of Oklahoma.

7. The State Farm automobile insurance policy (the "Policy") that is related to this action was sold to Plaintiff while Plaintiff resided in Park Hill, Cherokee County, State of Oklahoma.

8. Plaintiff submitted her claim for evaluation of the underinsured motorist benefits on September 14, 2012.

9. Defendant State Farm Mutual Automobile Insurance Company has:

- a) unduly delayed;
- b) unreasonably evaluated; and,
- c) improperly denied

Plaintiff's uninsured motorist claim which has caused her to suffer mental anguish and other damages.

10. At all times material herein, the officers, directors, executives, managers, supervisors, agents, adjusters, attorneys, and other representatives of the Defendant were acting within the course and scope of their employment with the Defendant.

11. The Defendant is responsible for the actions of its employees under the doctrine of *respondeat superior*.

12. Defendant State Farm Mutual Automobile Insurance Company has unreasonably breached its duty to deal fairly and in good faith with the Plaintiff.

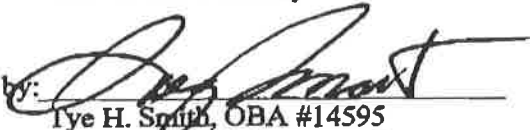
13. The Plaintiff has been damaged by Defendant's failure to pay all of the coverage benefits to which Plaintiff was reasonably entitled.

14. Plaintiff has also suffered mental anguish and distress as a result of the Defendant's unfair and unreasonable acts and failure to act.

15. Defendant State Farm Mutual Automobile Insurance Company's actions were wanton, oppressive, and in reckless disregard of the rights of the Plaintiff thereby entitling her to an award of punitive damages.

WHEREFORE, Plaintiff demands judgment for actual and punitive damages in an amount in excess of the One Hundred Thousand and No/100 Dollars (\$100,000) in underinsured motorist policy limits against the Defendant as set forth above. Plaintiff also seeks costs, attorney fees, interest, and other such relief as the Court shall deem equitable and proper.

RESPECTFULLY SUBMITTED
Carr & Carr Attorneys

by: 
Iye H. Smith, OBA #14595

tyesmith@carrcarrokc.com

Charles Gregory Smart, OBA #14944

gsmart@carrcarrokc.com

1350 S.W. 89th Street
Oklahoma City, OK 73159
(405) 234-1600, Phone
(405) 234-2128, Facsimile
Attorneys for Plaintiff

Attorney's Lien Claimed